

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: JEA-RB, JED, JED-RA, JEE-RA
Responsible Office: Deputy Superintendent of Schools

Enrollment and Placement of International and Foreign Students

I. PURPOSE

To set forth the procedures for enrolling and placing exchange, foreign, and international students in a Montgomery County public school.

II. DEFINITIONS

- A. A *qualified student* is a student 5 years old or older and under 21.
- B. An *eligible student* is a student who has reached the age of majority (18) or is emancipated.
- C. *International Students* are:
1. Students from countries other than the United States and its territories with bona fide residency in Montgomery County who have not attended school in the United States at any time during the prior two years.
 2. U.S. citizens who attended a foreign school outside the U.S. for more than two years. This does not include students who attended schools operated by the United States government, such as the U.S. Department of Defense.
- D. A *foreign student* is defined as any person of school age who is not a U.S. citizen, maintains official residency in another country, and comes to the United States with visa status to visit or study.
1. An *exchange student* holds a J-1 Visa (J-1) and is under an approved exchange program.
 2. A *non-immigrant student* holds an F-1 Visa (F-1) and must be approved by the Immigration and Naturalization Service (INS).

3. A *visitor* holds a B-1 or B-2 Visa and comes for the sole purpose of visiting the United States.
- E. *Bona fide residence* is one's actual or true residence, maintained in good faith, and does not include a temporary residence or superficial residence established for convenience or for the purpose of free school attendance in Montgomery County Public Schools (MCPS).

III. BACKGROUND

- A. The following students must be referred to Residency and International Admissions (RIA) prior to enrollment in MCPS:
1. International students
 2. U.S. citizens who have not attended a U.S. school or a school run by the U.S. government at any time during the prior two years.
 3. Foreign students, including non-immigrant students (F-1) and exchange students (J-1). RIA is the only unit in MCPS authorized to start and monitor compliance with procedures and regulations for the admission of non-immigrant visitor status (F-1) and exchange students (J-1).
- B. A student who has attended a U.S. school system during the prior two years may enroll at his or her home school or consortia office.
- C. RIA will provide assistance with the interpretation of documentation, including educational records, and the evaluation of foreign transcripts according to Metropolitan Association of Foreign Student Advisors (MAFSA) National Grading Scales as needed by schools for placement purposes.

IV. PROCEDURES

- A. Parent/Guardian/Sponsor responsibilities:
1. Contacting RIA for an appointment
 2. Completing RIA Intake Form
 3. Presenting enrollment documents as delineated in Regulation JEA-RB, *Enrollment of Students*, to RIA

B. RIA Processing Responsibilities:

1. Procedures for processing the enrollment of international students:

- a) Verify each student's birth date and immunization record, as well as parent/guardian identity, residency, and review visa status, if applicable.
- b) Review each student's educational history; evaluate credentials; recommend awarding of official school credits, according to Maryland state and MCPS regulations; determine school assignment; and recommend grade placement.
- c) Review each student's record for special education documentation, including an Individualized Education Program or equivalent or a psychological or educational assessment for the purpose of consideration for special education services. If such documentation is found, the RIA director will notify the principal of the school at which the student is eligible to enroll, as well as the special education cluster supervisor assigned to that school.
- d) Identify information shared during the intake process that may lead a school team to monitor a student for possible referral for screening for special education services. The RIA director will report this information to the principal of the school at which the student is eligible to enroll, as well as to the special education cluster supervisor assigned to that school.
- e) Refer students with limited or no previous education to the Multidisciplinary Education Training and Support Program (METS) according to guidelines of the Division of English for Speakers of Other Languages (ESOL)/Bilingual Programs.
- f) Complete the RIA Intake and Referral process.
- g) Inform parent/guardian of the next steps to be taken regarding residency and tuition, if applicable.

2. Procedures for processing the enrollment of exchange students:

- a) MCPS provides free education to exchange students who come to reside in our county with a confirmed host family for a maximum of two academic semesters, if all the following conditions are met.

The maximum number of exchange students will not exceed 50 in total and 5 students at any single high school per academic school year.

- (1) The exchange program organization is approved by the Council on Standards for International Educational Travel.
- (2) The exchange program organization adheres to federal regulations issued by the United States Department of State.
- (3) The exchange program adheres to the MCPS regulation and guidelines for the admission and enrollment of exchange students.
- (4) The authorized representative of the exchange program lives within a 120-mile geographic radius of Montgomery County. This person is responsible for students placed in the school.
- (5) The applicant must be enrolled in a secondary school program in the country of residency and must be between the ages of 15 and 17 at the time of enrollment in MCPS.
- (6) The applicant must not have completed the equivalent of a high school program. Exchange students are not eligible for a diploma, graduation, or credit evaluation.
- (7) The exchange program has made arrangements for the applicant to have a current J-1 visa for the duration of school attendance and to live with a confirmed host family that has bona fide residency in Montgomery County. MCPS will not approve applications for students with temporary host families. Host families must have a completed criminal background check before the application can be approved. If an extreme circumstance/hardship situation results in a change in host family, the foreign exchange agency is responsible for finding a new host family within the same school cluster. The student will be referred to the school serving the community where the new host family resides.

The period of enrollment may range from one to two full academic semesters. Exchange students coming from a country with an academic calendar opposite to that of MCPS may attend two consecutive academic semesters in two different academic calendar years.

- (8) The applicant's current visa status and immunization compliance have been verified.
 - (9) The applicant's school records indicate a B or better grade average.
 - (10) The applicant presents school recommendations regarding behavior and ability to adapt to a different school environment.
 - (11) The applicant has demonstrated the ability to function academically in English without ESOL support.
 - (12) The applicant has met the criteria set forth above. The RIA director determines eligibility and grants approval.
- b) Applications and supporting documentation for exchange students are presented from April 15 to June 30 for the next academic year, and from October 15 to December 15 for the second semester of the current year. (Refer to MCPS Form 335-66: *Application for Admission of Exchange Students in MCPS.*)
 - c) The RIA Guidelines for the Admission and Enrollment of Exchange Students in MCPS are available on the MCPS website.
3. Procedures for processing foreign student status applicants for I-20, *Certificate of Eligibility for Nonimmigrant F-1 Student Status* (I-20 Form):
- a) Foreign students who reside in another country and come (or intend to come) to the United States with the sole intention to study are considered nonresident students in MCPS and their admission in school is subject to the completion of the I-20 Form, by RIA. The following conditions are required to obtain an I-20 Form in MCPS:
 - (1) Applicant's parents do not reside in the United States.

- (2) RIA verifies applicant's immunization compliance, visa status, and bona fide Montgomery County residency of applicant's sponsor.
 - (3) Applicant must be at least 15 years old and under 18 years old and must have completed at least the equivalency of eighth grade.
 - (4) Receiving school is not overutilized and is available according to the factors in MCPS Regulation JEE-RA: *Transfer of Students*.
 - (5) Applicant has demonstrated ability to function academically in English without ESOL support.
 - (6) Applicant's school records indicate a B or better grade average.
 - (7) Applicant presents school recommendations regarding behavior and ability to adapt to a different school environment.
 - (8) Applicant's sponsor pays school tuition in advance for the duration of the projected stay, as indicated on the I-20 Form.
 - (9) Applicant's sponsor provides evidence of financial capability to provide the student with a means of support.
 - (10) Applicant's sponsor provides a notarized custody letter from the applicant's parents.
- b) The period of enrollment may range from one full semester to a maximum of one academic year. Applications for I-20 Forms are accepted only from April 15 to June 30 for the next academic year, and from October 15 to December 15 for the second semester of the current year.
- c) RIA is responsible for assisting students who are required to complete an I-20 Form in complying with INS regulations pertaining to their nonimmigrant student status.

4. Procedures for processing the enrollment of foreign students holding B-1 or B-2 visas:

Holders of B-1 or B-2 visas who come for the sole purpose of visiting the United States are presumed not to be bona fide residents of Montgomery County.

5. Procedures for referring enrollment of international students and U.S. citizens who have not attended a U.S. school at any time during the prior two years:

- a) Verification of each student's birth date and immunization record, as well as parent/guardian identity and residency
- b) Review of each student's educational history; evaluation of credentials; recommendation for awarding of official school credits, according to Maryland state and MCPS regulations; determination of school assignment; and recommendation for grade placement
- c) Identification and referral to the Division of ESOL/Bilingual Programs of students with interrupted education (a two-year or greater schooling gap) for consideration of METS program services
- d) Notification of the school principal and the special education cluster supervisor of those students who may qualify to receive special education services
- e) Completion of the RIA Intake and Referral process
- f) Informing parent/guardian of the next steps to be taken to complete the enrollment process

C. General Responsibilities of RIA:

1. Inform parents/guardians/sponsors, private organizations, and the public of enrollment requirements in MCPS.
2. Maintain records, compile information, and prepare reports regarding international student admissions, as required by MCPS administrators or the Montgomery County Board of Education.
3. Enter data into relevant databases pertaining to RIA student information.

D. Local School Principal/Designee Responsibilities:

1. Direct inquiries from public and private organizations and individuals regarding the processing, enrollment, and placement of international and foreign students, including exchange (J-1) and non-immigrant students (F-1), and U.S. citizens who have not attended a U.S. school at any time during the prior two years, to the RIA for review and response.
2. Do not sign any immigration forms. RIA is the only unit in MCPS authorized by the INS to sign these forms.
3. After processing through RIA, enroll international, exchange, and immigrant students. If the RIA Intake Form is stamped "BEFORE STUDENT CAN BE ENROLLED TUITION MUST BE PAID OR TUITION WAIVER MUST BE APPROVED BY RIA," the student must not be enrolled until additional notification is received from the Division of Controller. (See MCPS Regulation JED-RA: *Residency and Tuition*)
4. Notify RIA if the international, exchange, and/or non-immigrant student does not enroll in the local school within 30 days of receipt of the RIA Intake Form.
5. Withdraw exchange students and non-immigrant students at completion of their approved academic program.
6. Upon request, provide information that may be needed from RIA for MCPS administrators or the Montgomery County Board of Education regarding international students and foreign students.

Regulation History: Formerly part of Regulation 560-1 and JED-RA; established as a new, separate regulation August 26, 1987; revised May 2, 1995; revised July 6, 2001; revised September 15, 2003; revised February 24, 2005; revised November 21, 2006; revised April 19, 2011.